

Notice of Allowability

Application No.

10/671,108

Examiner

Gregory J. Strimbu

Applicant(s)

GAYER, JASON E.

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3634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to ~~5/30/06~~ *The amendment of 5/30/06 & the tele int. of 8/1/06*
2. ☒ The allowed claim(s) is/are 1-9 and 11-18.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>8/1/06</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Richard L. Marsh on August 1, 2006.

The application has been amended as follows:

In the title:

changed the title to --MANWAY LIFT DEVICE HAVING AN ADJUSTABLE BIASING ASSEMBLY THEREFOR--

In the abstract:

rewrote the abstract as follows:

--A manway lift device comprises two hinge assemblies, each hinge assembly comprising a first hinge member, a second hinge member, a smooth bore bushing, an internally threaded bushing and an adjustable biasing assembly. At least one of the bushings of each hinge assembly including a first end protruding beyond an exterior face of the first hinge member of the hinge assembly and including a second end having dogs disposed thereon, the dogs engaged in dog holes disposed through the second hinge member of the hinge assembly. The smooth bore bushing of each hinge assembly receiving a bolt through the internal bore thereof, the bolt threaded received in

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the internally threaded bore of the threaded bushing of the hinge assembly. The bolts rigidly affix the bushings to the hinge assemblies. Each hinge assembly connected to a manway cover and a manway collar. The biasing assemblies biasing the manway cover toward an open position with respect to the manway collar.--

In the claims:

amended claim 1 as follows:

A manway lift device comprises a first right and a second left upper hinge bracket, a third right and a fourth left lower hinge bracket, at least two smooth bore bushings, at least two internally threaded bushings and at least one adjustable biasing assembly, said upper hinge brackets arranged in a parallel relationship with each other, spaced apart from each other and rigidly attached to a manway cover to be lifted, said lower hinge brackets arranged in a parallel relationship with each other, spaced apart from each other and rigidly affixed to a manway collar assembly for receiving said manway cover, said first right upper hinge bracket aligned with said third right lower hinge bracket thus constituting a first right-aligned pair of said brackets, said second left upper hinge bracket aligned with said fourth left lower hinge bracket thus constituting a second left-aligned pair of said brackets, said first right-aligned pair of said brackets receiving one of said smooth bore bushings therein from a first direction and receiving one of said internally threaded bushings therein from a second direction opposite to said first direction, said one of said smooth bore bushings and said one of said internally threaded bushings opposed directions thus comprising a first bushing set, said second

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left-aligned pair of said brackets receiving the other one of said smooth bore bushings therein from a third direction and receiving the other one of said internally threaded bushings therein from a fourth direction opposite to said third direction, said other one of said smooth bore bushings and said other one of said internally threaded bushings ~~opposed directions thus~~ comprising a second bushing set, at least one of said bushings of said first bushing set having a first boss on one end thereof, said boss protruding beyond an exterior face of ~~one~~ said third lower hinge bracket, said at least one bushing having dogs disposed on a second end thereof the opposite to said first end thereof, said dogs engaged in dog holes disposed through said first upper hinge bracket, said smooth bore bushing of said first bushing set receiving a bolt through the internal bore thereof, said internally threaded bushing of said first bushing set threadedly receiving the threaded end of said bolt ~~in said internally threaded bore thereof,~~ said bolt thus rigidly affixing said first bushing set to said first upper hinge bracket and thereby rotatably affixing said manway cover to said manway collar assembly, said at least one bushing of said first bushing set ~~one boss~~ having said adjustable biasing assembly associated therewith for biasing said manway cover into an open position with respect to said manway collar assembly.

claim 2,

line 3, changed the first occurrence of "housing" to -- housings--

line 5, changed "the" to --an--

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claim 3,

line 1, changed "An adjustable biasing assembly" to --A manway lift device--

line 2, inserted --third-- following "said" and changed the last occurrence of "a" to --said first--

line 3, deleted the first occurrence of "rotatable" and inserted --first-- following "said"

claim 4,

line 1, changed "An adjustable biasing assembly" to --A manway lift device--

line 2, changed "rotatable" to --first--

line 3, changed the first occurrence of "rotatable" to --first-- and inserted --first-- following the last occurrence of "said"

line 4, changed "the" to --an--

claim 5,

changed line 1 to --A manway lift device as in claim 4 wherein said spring biases said rotatable member relative to said fixed member.--

deleted line 2

claim 6,

line 1, changed "An adjustable biasing assembly" to --A manway lift device--

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claim 7,

line 1, changed "An adjustable biasing assembly" to --A manway lift device--

line 4, inserted --of said manway cover relative to said manway collar assembly--
following "movement"

claim 8,

line 1, changed "An adjustable biasing assembly" to --A manway lift device--

line 2, inserted --assembly-- following "collar"

line 3, deleted "for a manway access"

deleted line 4

line 5, deleted "respectively . . . access"

claim 9,

line 1, changed "An adjustable biasing assembly" to --A manway lift device-- and
changed "the available" to --a--

line 2, changed "of" to --produced by--

canceled claim 10

claim 11,

changed line 1 to --A manway lift device as in claim 2 wherein said--

changed line 2 to --outer end of said flat wire spring is curved.--

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claim 12,

line 1, changed "An adjustable biasing assembly" to --A manway lift device--

claim 13,

line 1, changed "An adjustable biasing assembly" to --A manway lift device-- and
inserted --at least one stop of said-- following "said"

line 2, changed "has" to --comprises--

claim 14,

line 1, changed "An adjustable biasing assembly" to --A manway lift device--

claim 15,

line 1, changed "an" to --said--

line 2, changed "left-" to --first--, changed "members" to --said brackets-- and
inserted --additional-- following "an"

line 3, changed "right-" to --second-- and changed "members" to --said brackets--

claim 16,

line 1, changed "an" to --said--

changed line 2 to --assembly is disposed on said first bushing set and
comprises--

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line 3, deleted "constituting", inserted --additional-- following "an" and changed "a boss" to --said second bushing set and comprises--

changed line 4 to --a right lift--

claim 17,

changed line 2 to --clamp is located between said first aligned pair of said brackets and said second aligned pair of said brackets.--

claim 18,

line 2, deleted "disposed on said left-aligned pair of members"

line 3, deleted "disposed on said right-aligned pair of members"

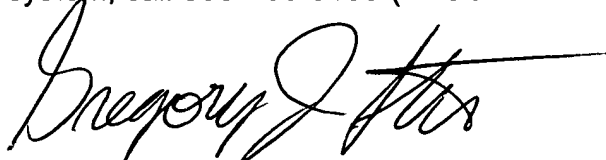
line 5, inserted --being-- following "assembly"

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is 571-272-6836. The examiner can normally be reached on Monday through Friday 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read "Gregory J. Strimbu", with a long horizontal flourish extending to the right.

Gregory J. Strimbu
Primary Examiner
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August 1, 2006